

**TO BE PUBLISHED GAZZETTE OF INDIA**  
**PART- III, SECTION 4**

F.No.ER-388.1/NCTE/ ERCAPP2534/ERCAPP2555/

B.Ed./D.El.Ed./BR/2025/ (72659-72666)

**ORDER**

Dated: 27/01/2026

**Change of Premises of the Institution**

WHEREAS, in terms of Section 14/15 of the NCTE Act, 1993, recognition was granted to **ErUpendra Sharma Teachers Training College**, Plot no. 119, 120, Street No. Telhara, Vill-TelharaKhurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- PurbaChamparan, Bihar-845304 for conducting **B.Ed** programme of two year duration *vide* Order no. ER-252.6.60/ERCAPP2534/B.Ed./2018/56357 dated 03.03.2018 with an annual intake of 50 (One Basic Units) from the academic session 2018-2019.

(ii) **AND WHEREAS**, In terms of Section 14/15 of the NCTE Act, 1993, recognition was granted **ErUpendra Sharma Teachers Training College**, Plot no. 119, 120, Street No. Telhara, Vill-TelharaKhurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- PurbaChamparan, Bihar-845304 for conducting **D.El.Ed.** programme of two year duration *vide* Order No. 252.6.61/ERCAPP2555/D.El.Ed./2018/56367 dated 03.03.2018 with an annual intake of 100 (two basic units) from the academic session 2018-2019.

2. **AND WHEREAS**, the institution has submitted application dated. 25.03.2025 requesting for shifting of premises for its B.Ed., D.El.Ed. Programme along with a demand draft of Rs. 1,77,000/- *vide* DD No. 68630 dated 25.03.2025. Which has been received in ERC office. The matter was placed before 376<sup>th</sup> meeting of ERC held on 30.04.2025 and the committee decided as under:

**Decision of ERC:**

*"The original file of the institution along with other related documents, NCTE Act, 1993, Appeal order dt. 12.03.2025 passed by the Appellate authority of NCTE, Regulations and Guidelines issued by NCTE from time to time, were considered by ERC:-*

*After perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee decided to remand back the case to the ERC, NCTE with a direction to consider the writ petition of the appellant institution as representation and the documents submitted by the appellant institution claiming the availability of the infrastructural and instructional facility available with the institution. The Appellant is directed to forward to the ERC, the documents submitted in appeal in 15 days from the receipt of order of the Appeal to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time. The above order is subject to outcome of the decision taken by the ERC after following due process as per provisions of the NCTE Act, Rules & Regulations. The ERC is directed to expedite the decision in the matter in terms of direction given herein above. During such time, the institution shall not be entitled to take admission of students till a final decision be taken by ERC".*

*The institution has submitted a letter dated 25.3.2025 along with demand draft dt. 25.03.2025 for Rs.1,77,000/- and other requisite documents.*

The Committee decided to constitute virtual online inspection under Section 13 of the NCTE Act, 1993 to verify infrastructural facilities available with the institution. Contd...2

3. AND WHEREAS, the matter was placed again in ERC in its 374<sup>th</sup> Meeting held on 25<sup>th</sup> – 26<sup>th</sup> August 2025 and committee decided as under:-

*“The original file of the institution along with other related documents, NCTE Act, 1993, NCTE Rules, Regulations, SOP, Regulations, guidelines issued from time to time, comments/remarks of Inspection Division recorded on file no. NCTE-Regl019/25/2022-Regulation Section(BR) – ERC (Comp. No.: 70405), were placed before the Eastern Regional Committee and the Committee observed the following:-*

*1. On the basis of complaint received against the institution, the ERC in its 301<sup>st</sup> meeting referred the matter to NCTE-HQrs for conducting inspection u/s 13 of the NCTE Act.*

*2. The Inspection u/s 13 was conducted on 27.02.2022 and the report was forwarded to ERC.*

*3. The ERC in its 302<sup>nd</sup> (Virtual) Meeting held on 28<sup>th</sup> February & 01<sup>st</sup> March, 2022 decided to withdraw recognition granted to the institution from the academic session 2022-2023 on the following grounds :-*

*As per observations made by the visiting team while conducting inspection of the institution at its site on 27.02.2022 under section 13 observed that there was no college name on the building however the name mentioned the building was ‘Lov-kush International School’. College management reported is that the building of college was forcibly taken/occupied by the disputed party and matter is under Honorable Patna High Court. Though they visited the site but were not able to inspect the entire building as required under section 13 of NCTE Act 1993. due to the dispute.*

*4. The institution preferred an appeal and the Appellate authority vide order dated 07.03.2023 directed as under :-*

*1. Inspection under Section 13 of the NCTE Act, 1993 shall be conducted by the Eastern Regional Committee (ERC), NCTE as per laid down procedure to verify the status of possession of land & building viz-a-viz infrastructure and instructional facilities available with the institution.*

*2. The Appeal Committee further directed the Eastern Regional Committee (ERC), NCTE that on being receipt of the report of the Visiting Team, the same shall be examined by the ERC, and furnish a report as to whether the institution is fulfilling the norms and standards as per provisions of the NCTE Regulations or not, to enable the Appeal Committee to take appropriate decision in the matter.*

*3. The Appeal Committee decided to keep the matter pending until the report is submitted by the Eastern Regional Committee (ERC) as it is necessary to ascertain as to whether the institution is in actual physical possession of premises or not. Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.*

*4. “After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the Appeal is kept pending till the report is submitted by Eastern Regional Committee (ERC), NCTE in terms of direction given herein above”*

5. *The ERC in its 331<sup>st</sup> (Virtual) meeting held on 26.07.2023 decided the following :-*

*The ERC noted that Section 13 of the NCTE Act 1993 read with Rule 8 of the NCTE Rules 1997 empowers the NCTE (HQ) on behalf of the Council to cause inspection under this Section. Further, the Hon'ble Supreme Court of India vide its judgment dated 12.04.2012 in Civil Appeal No. 3505 of 2012 titled NCTE Vs Vaishnav Institution of Technology & Management inter-alia passed the following order:*

*" .....30. In view of the above, the view of the Delhi High Court does not commend us and we set aside the judgment of the Delhi High Court. The view of the Madhya Pradesh High Court to the extent it runs contrary to what we have noted above does not hold good. In other words, the view of the Madhya Pradesh High Court that before proceeding under Section 17 of the 1993 Act, the course of inspection provided in Section 13 has to be necessarily followed all in situations is set aside. If satisfaction under Section 17 can be arrived at without inspection of a recognized institution, the Regional Committee is not required to follow the route of Section 13. However, where the Regional Committee forms an opinion that for its proper satisfaction as to whether a recognised institution has contravened the provisions of the 1993 Act or the rules or the regulations or the orders made or issued thereunder or the conditions of recognition, an inspection is necessary then necessarily the inspection and follow-up action under Section 13 has to be followed. We answer the question accordingly....."*

*In view of the above, the Committee is of the opinion that the Inspection of the institution under Section 13 cannot be caused by the Regional Committee and therefore, decided to forward the matter to Inspection Section of NCTE (HQ) to cause the inspection of the institution as per provision of the NCTE Act 1993 and in the manner as prescribed in the NCTE Rules 1997.*

*The Appeal Section may also be informed accordingly.*

6. *Accordingly, the letter was addressed to Appeal Division, NCTE-HQrs.*

7. *In the meantime the institution vide application/letter dated 05/07/2024 applied for shifting of premises of the institution to Vill- MakariMahuawa, PS&PO-PipraKothi, Tehsil & Taluka-Chakia, Dist.- East Champaran, Bihar, PIN-845429.*

8. *The institution also approached the Hon'ble Court and the Hon'ble Court vide order No. WP(C) 11455/2024 and the Hon'ble Court vide order dated 20.08.2024 disposed of the writ petition by directing the respondents "to treat the present writ petition as a representation, on behalf of the petitioner, which is to be decided expeditiously, preferably within 10 days, under intimation to the petitioner herein."*

9. *The matter was considered by ERC in its 349<sup>th</sup> (Virtual) meeting of ERC held on 28.08.2024 wherein the ERC decided the following :-*

- In compliance of above order dated 20.08.2024 passed by the Hon'ble Delhi High Court, the ERC considered the application dated 05/07/2024 submitted by the institution for shifting of premises and noted that as the recognition of the institution for D.El.Ed and B.Ed Course (s) has already withdrawn vide ERC Order dated 03<sup>rd</sup> March 2022 and there is no provision in the NCTE Act, Rules and Regulations to process the application for shifting of premises of an institution whose recognition has already been withdrawn. Hence, the question of considering the application for shifting of premises does not arise.*

*Contd.... 4*

- Hence, the Committee found the representation of the institution devoid of merit and disposed of the same as above.
- The institution and the other concerned be informed accordingly.
- The processing fee submitted by the institution with the application of shifting be returned to the institution.

10. Further, the Appeal Committee vide letter No. Dated 09.10.2024 has sought clarification from RD-ERC on the following :-

(i) The Appellant had submitted one certificate dated 09.02.2023 showing the possession of land in the name of Ramashish Singh and Vishwanath Sharma Education Trust before the Appeal Committee. The Regional Director, ERC shall clarify the authenticity of the aforementioned documents from the concerned State Authority. In addition, the Regional Director shall also seek a status report of the institution from the affiliating University which shall submit its report in consonance with the respective District authorities about the possession of land & building by the appellant institution as per provisions of the NCTE Regulations, 2014.

(ii) The appellant institution has submitted a copy of Hon'ble High Court of judicature at Patna dated 14.10.2022 wherein the Superintendent of Police, East Champaran, Motihari (Respondent No. 4) and the competent court in whose jurisdiction the case is pending shall act in terms of the direction given. The Regional Director, ERC shall submit a report regarding the current status of legal proceeding.

The Appeal Committee decided to keep the matter pending until the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC) as it is necessary to ascertain as to whether the institution is in actual physical possession of premises or not. Hence, the Appeal Committee decided to keep the matter in abeyance till the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC). Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.

In view of the above, the RD, ERC is requested to submit the clarification/ report on the aforesaid points to the Appeal Division within 15 days of issue of this letter so as to ascertain as to whether the institution is in actual physical possession of premises or not .

The matter may be treated on priority so that appeal committee will be in position to ensure timely action in the said matter. As this matter is urgent in nature your personal intervention is solicited in this regard.

11. The matter was again considered by the Appellate Authority, NCTE and the Appellate Authority, NCTE passed an Order vide Order no. File No.89-105/E-250445/2022 Appeal/2nd meeting, 2025 APPLERC202214338 dated 12.03.2025 is as under:

After perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee decided to remand back the case to the ERC, NCTE with a direction to consider the writ petition of the appellant institution as representation and the documents

Contd...5

submitted by the appellant institution claiming the availability of the infrastructural and instructional facilities available with the institution. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time.

The above order is subject to outcome of decision taken by the ERC after following due process as per provisions of the NCTE Act, Rules & Regulations. The ERC is directed to expedite the decision in the matter in terms of direction given herein above.

During such time, the institution shall not be entitled to take admission of students till a final decision be taken by ERC.”

12. The matter was considered in 364<sup>th</sup> meeting of ERC-NCTE, held on 30<sup>th</sup> April, 2025, the committee considered the matter and decided as under :-

“The institution has submitted a letter dated 25.3.2025 along with demand draft dt. 25.03.2025 for Rs.1,77,000/- and other requisite documents”.

The Committee decided to constitute virtual online inspection under Section 13 of the NCTE Act, 1993 to verify infrastructural facilities available with the institution.

13. The O/o ERC has received a letter dated 17.07.2025 from O/o DM, East Champaran stating the following:

“उपरोक्त विषयक प्रासांगिक पत्र के आलोक में अंकित करना है कि जिलापदाधिकारी, पूर्वीचम्पारण महोदय के पत्र सं० -12689 दिनांक 23.06.2025 के निदेशानुसार रिकॉर्ड के जाँचो परान्त पाया कि भूमि दखल कब्जा प्रमाण-पत्र (एल०पी०सी०) सं०-1036/2022-2023 निर्गत तिथि-09.02.2023 जो कीरा जस्व एवं भूमि सुधार विभाग के ऑनलाईन वेबसाईट - BHUJANKARI BIHAR परामाशिष सिंह एण्ड विश्वनाथ शर्मा एजुकेशनट्र स्ट, नया अगरवा के नाम पर निर्गत की गई है, जिसका खाता संख्या-119, 120 खेसरा संख्या- 638, 640, 648, 639 कुल रकबा 78.54 डी०अंकित है”।

14. In terms of the decision taken by ERC in its 364<sup>th</sup> meeting, file was moved to Inspection Division to carry out the inspection to verify infrastructural facilities available with the institution. The crux of the comments of the Inspection division is as under:

There have been many complaints and court cases alleging non-compliance of extant norms by the institution, its non-existence on the ground, etc. Many reports viz. those submitted by a Commission set up by the Hon'ble High Court, Committees constituted by BSEB, Visiting Team of NCTE, etc. indicate non-existence of the institution. Further, there is also a court case pending in the Delhi High Court alleging non-existence of the institute. Therefore, it would be appropriate to examine this case holistically keeping these things in mind and then send proposal to Inspection Division so that the same may be placed before the competent authority for taking decision on inspection under Section 13, if required.

15. *The decision taken in 364<sup>th</sup> meeting was for inspection of the new premises of the institution as the representation was for shifting of premises of the institution as revealed from the order of Hon'ble Delhi High Court dated 20.08.2024. However, the Inspection Division is stating that there are many disputes on the existing institution. Meaning thereby that there is difference in opinions of the ERC and Inspection Division.*

16. *In View of the differences in opinions of the ERC and the Inspection Division, the Committee decided to refer the matter to the Appellate Committee to specify the premises, old or new, in which the inspection is to be carried out in order to verify the existence of the infrastructural and instructional facilities therein.*

4. **AND WHEREAS,** The institution filed W.P.(C) 13535/2025 in the Hon'ble High Court of Delhi at New Delhi, and the Hon'ble Court passed an order dated 22.12.2025. The operative part of the order is as under:

"1. *This application is filed by the Petitioner under Section 151 CPC seeking early hearing of the writ petition.*

2. *Issue notice.*

3. *Mr. Mohinder J.S. Rupal, learned counsel accepts notice on behalf of the Respondents.*

4. *For the reasons stated in the application, the same is allowed.*

5. *Application is disposed of.*

6. *With the consent of the parties, the writ petition is taken up for hearing today.*

7. *Learned counsel for the Petitioner submits that the only relief claimed in the writ petition is for a direction to the Respondents to decide the pending application of the Petitioner for shifting of the premises which is pending since 05.07.2024.*

8. *Mr. Rupal, on instructions, submits that the application for shifting the premises will be decided within four weeks from today.*

9. *Accordingly, this writ petition is allowed directing the Respondents to decide the application submitted by the Petitioner on 05.07.2024 for shifting of premises within four weeks from today. The decision will be taken after inspecting the new premises and will be a reasoned and speaking order. Decision will be communicated to the Petitioner within one week from the date of decision and in case of any surviving/further grievance, Petitioner will be at liberty to take recourse to legal remedies.*

10. *Writ petition stands disposed of with the pending application.*

11. *Date of 15.04.2026 stands cancelled."*

4. **AND WHEREAS,** the matter was placed before ERC in its 385<sup>th</sup> meeting held on 24<sup>th</sup> December, 2025 and committee decided as under:-

*"The original file of the institution along with other related documents, NCTE Act, 1993, NCTE Rules, Regulations, SOP, Regulations, guidelines issued from time to time, comments/remarks of Inspection Division recorded on file no. NCTE-Regl019/25/2022-Regulation Section(BR) – ERC (Comp. No.: 70405), Order of the Delhi High Court dated 22.12.2025 were placed before the Eastern Regional Committee and the Committee observed the following:-*

Contd...7

1. On the basis of complaint received against the institution, the ERC in its 301<sup>st</sup> meeting referred the matter to NCTE-HQs for conducting inspection u/s 13 of the NCTE Act.

2. The Inspection u/s 13 was conducted on 27.02.2022 and the report was forwarded to ERC.

3. The ERC in its 302<sup>nd</sup> (Virtual) Meeting held on 28<sup>th</sup> February & 01<sup>st</sup> March, 2022 decided to withdraw recognition granted to the institution from the academic session 2022-2023 on the following grounds :-

As per observations made by the visiting team while conducting inspection of the institution at its site on 27.02.2022 under section 13 observed that there was no college name on the building however the name mentioned the building was 'Lov-kush International School'. College management reported is that the building of college was forcibly taken/occupied by the disputed party and matter is under Honorable Patna High Court. Though they visited the site but were not able to inspect the entire building as required under section 13 of NCTE Act 1993. due to the dispute.

4. The institution preferred an appeal and the Appellate authority vide order dated 07.03.2023 directed as under :-

5. Inspection under Section 13 of the NCTE Act, 1993 shall be conducted by the Eastern Regional Committee (ERC), NCTE as per laid down procedure to verify the status of possession of land & building viz-a-viz infrastructure and instructional facilities available with the institution.

6. The Appeal Committee further directed the Eastern Regional Committee (ERC), NCTE that on being receipt of the report of the Visiting Team, the same shall be examined by the ERC, and furnish a report as to whether the institution is fulfilling the norms and standards as per provisions of the NCTE Regulations or not, to enable the Appeal Committee to take appropriate decision in the matter.

7. The Appeal Committee decided to keep the matter pending until the report is submitted by the Eastern Regional Committee (ERC) as it is necessary to ascertain as to whether the institution is in actual physical possession of premises or not. Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.

8. "After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the Appeal is kept pending till the report is submitted by Eastern Regional Committee (ERC), NCTE in terms of direction given herein above"

5. The ERC in its 331<sup>st</sup> (Virtual) meeting held on 26.07.2023 decided the following :-

The ERC noted that Section 13 of the NCTE Act 1993 read with Rule 8 of the NCTE Rules 1997 empowers the NCTE (HQ) on behalf of the Council to cause inspection under this Section. Further, the Hon'ble Supreme Court of India vide its judgment dated 12.04.2012 in Civil Appeal No. 3505 of 2012 titled NCTE Vs Vaishnav Institution of Technology & Management inter-alia passed the following order:

“ .....30. In view of the above, the view of the Delhi High Court does not commend us and we set aside the judgment of the Delhi High Court. The view of the Madhya Pradesh High Court to the extent it runs contrary to what we have noted above does not hold good. In other words, the view of the Madhya Pradesh High Court that before proceeding under Section 17 of the 1993 Act, the course of inspection provided in Section 13 has to be necessarily followed all in situations is set aside. If satisfaction under Section 17 can be arrived at without inspection of a recognized institution, the Regional Committee is not required to follow the route of Section 13. However, where the Regional Committee forms an opinion that for its proper satisfaction as to whether a recognised institution has contravened the provisions of the 1993 Act or the rules or the regulations or the orders made or issued thereunder or the conditions of recognition, an inspection is necessary then necessarily the inspection and follow-up action under Section 13 has to be followed. We answer the question accordingly.....”

In view of the above, the Committee is of the opinion that the Inspection of the institution under Section 13 cannot be caused by the Regional Committee and therefore, decided to forward the matter to Inspection Section of NCTE (HQ) to cause the inspection of the institution as per provision of the NCTE Act 1993 and in the manner as prescribed in the NCTE Rules 1997.

The Appeal Section may also be informed accordingly.

6. Accordingly, the letter was addressed to Appeal Division, NCTE-HQrs.

7. In the meantime the institution vide application/letter dated 05/07/2024 applied for shifting of premises of the institution to Vill- MakariMahuawa, PS&PO-PipraKothi, Tehsil & Taluka-Chakia, Distt.- East Champaran, Bihar, PIN-845429.

8. The institution also approached the Hon'ble Court and the Hon'ble Court vide order No. WP(C) 11455/2024 and the Hon'ble Court vide order dated 20.08.2024 disposed of the writ petition by directing the respondents "to treat the present writ petition as a representation, on behalf of the petitioner, which is to be decided expeditiously, preferably within 10 days, under intimation to the petitioner herein."

9. The matter was considered by ERC in its 349<sup>th</sup> (Virtual) meeting of ERC held on 28.08.2024 wherein the ERC decided the following :-

- In compliance of above order dated 20.08.2024 passed by the Hon'ble Delhi High Court, the ERC considered the application dated 05/07/2024 submitted by the institution for shifting of premises and noted that as the recognition of the institution for D.El.Ed and B.Ed Course (s) has already withdrawn vide ERC Order dated 03<sup>rd</sup> March 2022 and there is no provision in the NCTE Act, Rules and Regulations to process the application for shifting of premises of an institution whose recognition has already been withdrawn. Hence, the question of considering the application for shifting of premises does not arise.
- Hence, the Committee found the representation of the institution devoid of merit and disposed of the same as above.
- The institution and the other concerned be informed accordingly.
- The processing fee submitted by the institution with the application of shifting be returned to the institution.

Contd... 9

10. Further, the Appeal Committee vide letter No. Dated 09.10.2024 has sought clarification from RD-ERC on the following :-

(i) The Appellant had submitted one certificate dated 09.02.2023 showing the possession of land in the name of Ramashish Singh and Vishwanath Sharma Education Trust before the Appeal Committee. The Regional Director, ERC shall clarify the authenticity of the aforementioned documents from the concerned State Authority. In addition, the Regional Director shall also seek a status report of the institution from the affiliating University which shall submit its report in consonance with the respective District authorities about the possession of land & building by the appellant institution as per provisions of the NCTE Regulations, 2014.

(ii) The appellant institution has submitted a copy of Hon'ble High Court of judicature at Patna dated 14.10.2022 wherein the Superintendent of Police, East Champaran, Motihari (Respondent No. 4) and the competent court in whose jurisdiction the case is pending shall act in terms of the direction given. The Regional Director, ERC shall submit a report regarding the current status of legal proceeding.

The Appeal Committee decided to keep the matter pending until the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC) as it is necessary to ascertain as to whether the institution is in actual physical possession of premises or not. Hence, the Appeal Committee decided to keep the matter in abeyance till the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC). Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.

In view of the above, the RD, ERC is requested to submit the clarification/ report on the aforesaid points to the Appeal Division within 15 days of issue of this letter so as to ascertain as to whether the institution is in actual physical possession of premises or not .

The matter may be treated on priority so that appeal committee will be in position to ensure timely action in the said matter. As this matter is urgent in nature your personal intervention is solicited in this regard.

11. The matter was again considered by the Appellate Authority, NCTE and the Appellate Authority, NCTE passed an Order vide Order no. File No.89-105/E-250445/2022 Appeal/2nd meeting, 2025 APPLERC202214338 dated 12.03.2025 is as under:

After perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee decided to remand back the case to the ERC, NCTE with a direction to consider the writ petition of the appellant institution as representation and the documents submitted by the appellant institution claiming the availability of the infrastructural and instructional facilities available with the institution. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time.

The above order is subject to outcome of decision taken by the ERC after following due process as per provisions of the NCTE Act, Rules & Regulations. The ERC is directed to expedite the decision in the matter in terms of direction given herein above.

Contd...10

*During such time, the institution shall not be entitled to take admission of students till a final decision be taken by ERC."*

12. *The matter was considered in 364<sup>th</sup> meeting of ERC-NCTE, held on 30<sup>th</sup> April, 2025, the committee considered the matter and decided as under :-*

*"The institution has submitted a letter dated 25.3.2025 along with demand draft dt. 25.03.2025 for Rs.1,77,000/- and other requisite documents".*

*The Committee decided to constitute virtual online inspection under Section 13 of the NCTE Act, 1993 to verify infrastructural facilities available with the institution.*

14. *The O/o ERC has received a letter dated 17.07.2025 from O/o DM, East Champaran stating the following:*

*"उपरोक्त विषयक प्रासांगिक पत्र के आलोक में अंकित करना है कि जिला पदाधिकारी, पूर्वीचम्पारण महोदय के पत्र सं 0-12689 दिनांक 23.06.2025 के निदेशानुसार रिकॉर्ड के जाँचोपरान्त पाया कि भूमि दखल कब्जा प्रमाण-पत्र (एल०पी०सी०) सं०-1036/2022-2023 निर्गत तिथि-09.02.2023 जो की राजस्व एवं भूमि सुधार विभाग के ऑन लाई नवेबसाईट-BHUIJANKARI BIHAR पररामाशिष सिंह एण्ड विश्वनाथ शर्मा एजुकेशनट्रस्ट, नया अगरवा के नाम पर निर्गत कीग ईहे, जिसका खाता संख्या-119, 120 खेसरा संख्या-638, 640, 648, 639 कुल रक्बा 78.54 डी०अंकितहै।"*

14. *In terms of the decision taken by ERC in its 364<sup>th</sup> meeting, file was moved to Inspection Division to carry out the inspection to verify infrastructural facilities available with the institution. The crux of the comments of the Inspection division is as under:*

*There have been many complaints and court cases alleging non-compliance of extant norms by the institution, its non-existence on the ground, etc. Many reports viz. those submitted by a Commission set up by the Hon'ble High Court, Committees constituted by BSEB, Visiting Team of NCTE, etc. indicate non-existence of the institution. Further, there is also a court case pending in the Delhi High Court alleging non-existence of the institute. Therefore, it would be appropriate to examine this case holistically keeping these things in mind and then send proposal to Inspection Division so that the same may be placed before the competent authority for taking decision on inspection under Section 13, if required.*

15. *The decision taken in 364<sup>th</sup> meeting was for inspection of the new premises of the institution as the representation was for shifting of premises of the institution as revealed from the order of Hon'ble Delhi High Court dated 20.08.2024. However, the Inspection Division is stating that there are many disputes on the existing institution. Meaning thereby that there is difference in opinions of the ERC and Inspection Division.*

16. *In View of the differences in opinions of the ERC and the Inspection Division, the Committee had decided in its 374<sup>th</sup> meeting dated 25-26<sup>th</sup> August, 2025 to refer the matter to the Appellate Committee to specify the premises, old or new, in which the inspection is to be carried out in order to verify the existence of the infrastructural and instructional facilities therein. Accordingly, file was forwarded to the Appeal Division on 24.09.2025 followed by a reminder dated 18.11.2025. However, nothing has been heard from them till date.*

Contd...11

17. In the meanwhile, the institution has filed W.P.(C) 13535/2025 in the Hon'ble High Court of Delhi at New Delhi. The Hon'ble Court has passed an order dated 22.12.2025. The operative part of the order is as under:-

“””””9. Accordingly, this writ petition is allowed directing the Respondents to decide the application submitted by the Petitioner on 05.07.2024 for shifting of premises within four weeks from today. The decision will be taken after inspecting the new premises and will be a reasoned and speaking order. Decision will be communicated to the Petitioner within one week from the date of decision and in case of any surviving/further grievance, Petitioner will be at liberty to take recourse to legal remedies.. Writ petition stands disposed of with the pending application.

18. The Committee also observed that as per the Court order, inspection of the new premises is to be carried out.

After carefully observing the court order dated 22.12.2025 passed by the Hon'ble High court of Delhi along with other related documents, the ERC decided that the direction of the Hon'ble High Court of Delhi dated 22.12.2025 may be forwarded to the Inspection Division, NCTE Hqrs. for necessary compliance i.e. for causing inspection of new premises of the institution immediately with the request to forward a copy of Virtual Online Inspection Report of the institution to the ERC for further final decision on the shifting of premises of institution. Further, a copy of the order may also be forwarded to Appellate Division with a remarks that the request made in this regard by ERC through e-file (C.No. 70405) to the Appellate Division may be treated as withdrawn in light of this court order.

5. Accordingly, As per the direction of ERC, Inspection of the institution was conducted on 19.01.2026 and the VT Report of the Institution was received on 19.01.2026 and the matter was placed in ERC in its 388<sup>th</sup> Meeting held on 20.01.2026 and committee decided as under:

“The original file of the institution along with other related documents, NCTE Act, 1993, NCTE Rules, Regulations, SOP, Regulations, guidelines issued from time to time, comments/remarks of Inspection Division recorded on file no. NCTE-Regl019/25/2022-Regulation Section(BR) – ERC (Comp. No.: 70405), Order of the Delhi High Court dated 22.12.2025 were placed before the Eastern Regional Committee and the Committee observed the following:-

1. On the basis of complaint received against the institution, the ERC in its 301<sup>st</sup> meeting referred the matter to NCTE-HQrs for conducting inspection u/s 13 of the NCTE Act.
2. The Inspection u/s 13 was conducted on 27.02.2022 and the report was forwarded to ERC.
3. The ERC in its 302<sup>nd</sup> (Virtual) Meeting held on 28<sup>th</sup> February & 01<sup>st</sup> March, 2022 decided to withdraw recognition granted to the institution from the academic session 2022-2023 on the following grounds :-

As per observations made by the visiting team while conducting inspection of the institution at its site on 27.02.2022 under section 13 observed that there was no college name on the building however the name mentioned the building was ‘Lov-kush International School’. College management reported is that the building of college was forcibly taken/occupied by the disputed party and matter is under Honourable Patna High Court. Though they visited the site but were not able to inspect the entire building as required under section 13 of NCTE Act 1993. due to the dispute.

4. The institution preferred an appeal and the Appellate authority vide order dated 07.03.2023 directed as under :-

Contd...12

1. *Inspection under Section 13 of the NCTE Act, 1993 shall be conducted by the Eastern Regional Committee (ERC), NCTE as per laid down procedure to verify the status of possession of land & building viz-a-viz infrastructure and instructional facilities available with the institution.*
2. *The Appeal Committee further directed the Eastern Regional Committee (ERC), NCTE that on being receipt of the report of the Visiting Team, the same shall be examined by the ERC, and furnish a report as to whether the institution is fulfilling the norms and standards as per provisions of the NCTE Regulations or not, to enable the Appeal Committee to take appropriate decision in the matter.*
3. *The Appeal Committee decided to keep the matter pending until the report is submitted by the Eastern Regional Committee (ERC) as it is necessary to ascertain as to whether the institution is in actual physical possession of premises or not. Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.*
4. *“After perusal of the Memoranda of Appeal, affidavit, documents on record and oral arguments advanced during the online hearing, Appeal Committee of the Council concluded that the Appeal is kept pending till the report is submitted by Eastern Regional Committee (ERC), NCTE in terms of direction given herein above”*
5. *The ERC in its 331<sup>st</sup>( Virtual) meeting held on 26.07.2023 decided the following :-*

*The ERC noted that Section 13 of the NCTE Act 1993 read with Rule 8 of the NCTE Rules 1997 empowers the NCTE (HQ) on behalf of the Council to cause inspection under this Section. Further, the Hon'ble Supreme Court of India vide its judgment dated 12.04.2012 in Civil Appeal No. 3505 of 2012 titled NCTE Vs Vaishnav Institution of Technology & Management inter-alia passed the following order:*

*“ .....30. In view of the above, the view of the Delhi High Court does not commend us and we set aside the judgment of the Delhi High Court. The view of the Madhya Pradesh High Court to the extent it runs contrary to what we have noted above does not hold good. In other words, the view of the Madhya Pradesh High Court that before proceeding under Section 17 of the 1993 Act, the course of inspection provided in Section 13 has to be necessarily followed all in situations is set aside. If satisfaction under Section 17 can be arrived at without inspection of a recognized institution, the Regional Committee is not required to follow the route of Section 13. However, where the Regional Committee forms an opinion that for its proper satisfaction as to whether a recognised institution has contravened the provisions of the 1993 Act or the rules or the regulations or the orders made or issued thereunder or the conditions of recognition, an inspection is necessary then necessarily the inspection and follow-up action under Section 13 has to be followed. We answer the question accordingly.....”*

*In view of the above, the Committee is of the opinion that the Inspection of the institution under Section 13 cannot be caused by the Regional Committee and therefore, decided to forward the matter to Inspection Section of NCTE (HQ) to cause the inspection of the institution as per provision of the NCTE Act 1993 and in the manner as prescribed in the NCTE Rules 1997.*

*The Appeal Section may also be informed accordingly.*

*Contd....13*

6. Accordingly, the letter was addressed to Appeal Division, NCTE-HQrs.

7. In the meantime the institution vide application/letter dated 05/07/2024 applied for shifting of premises of the institution to Vill- Makari Mahuawa, PS&PO-Pipra Kothi, Tehsil & Taluka-Chakia, Distt.- East Champaran, Bihar, PIN-845429.

8. The institution also approached the Hon'ble Court and the Hon'ble Court vide order No. WP(C) 11455/2024 and the Hon'ble Court vide order dated 20.08.2024 disposed of the writ petition by directing the respondents "to treat the present writ petition as a representation, on behalf of the petitioner, which is to be decided expeditiously , preferably within 10 days, under intimation to the petitioner herein."

9. The matter was considered by ERC in its 349<sup>th</sup> (Virtual) meeting of ERC held on 28.08.2024 wherein the ERC decided the following :-

1. In compliance of above order dated 20.08.2024 passed by the Hon'ble Delhi High Court, the ERC considered the application dated 05/07/2024 submitted by the institution for shifting of premises and noted that as the recognition of the institution for D.El.Ed and B.Ed Course (s) has already withdrawn vide ERC Order dated 03<sup>rd</sup> March 2022 and there is no provision in the NCTE Act, Rules and Regulations to process the application for shifting of premises of an institution whose recognition has already been withdrawn. Hence, the question of considering the application for shifting of premises does not arise.
2. Hence, the Committee found the representation of the institution devoid of merit and disposed of the same as above.
3. The institution and the other concerned be informed accordingly.
4. The processing fee submitted by the institution with the application of shifting be returned to the institution.

10. Further, the Appeal Committee vide letter No. Dated 09.10.2024 has sought clarification from RD-ERC on the following :-

(i) The Appellant had submitted one certificate dated 09.02.2023 showing the possession of land in the name of Ramashish Singh and Vishwanath Sharma Education Trust before the Appeal Committee. The Regional Director, ERC shall clarify the authenticity of the aforementioned documents from the concerned State Authority. In addition, the Regional Director shall also seek a status report of the institution from the affiliating University which shall submit its report in consonance with the respective District authorities about the possession of land & building by the appellant institution as per provisions of the NCTE Regulations, 2014.

(ii) The appellant institution has submitted a copy of Hon'ble High Court of judicature at Patna dated 14.10.2022 wherein the Superintendent of Police, East Champaran, Motihari (Respondent No. 4) and the competent court in whose jurisdiction the case is pending shall act in terms of the direction given. The Regional Director, ERC shall submit a report regarding the current status of legal proceeding.

*The Appeal Committee decided to keep the matter pending until the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC) as it is necessary to ascertain*

*as to whether the institution is in actual physical possession of premises or not. Hence, the Appeal Committee decided to keep the matter in abeyance till the clarification/report is submitted by the Regional Director, Eastern Regional Committee (ERC). Thus, it may not be advisable to remand back the case for the reasons that it will have an adverse effect on the quality of education and fate of students.*

*In view of the above, the RD, ERC is requested to submit the clarification/ report on the aforesaid points to the Appeal Division within 15 days of issue of this letter so as to ascertain as to whether the institution is in actual physical possession of premises or not .*

*The matter may be treated on priority so that appeal committee will be in position to ensure timely action in the said matter. As this matter is urgent in nature your personal intervention is solicited in this regard.*

*11. The matter was again considered by the Appellate Authority, NCTE and the Appellate Authority, NCTE passed an Order vide Order no. File No.89-105/E-250445/2022 Appeal/2nd meeting, 2025 APPLERC202214338 dated 12.03.2025 is as under:*

*After perusal of the Appeal Report, documents on record and oral arguments advanced during the online hearing, Appeal Committee decided to remand back the case to the ERC, NCTE with a direction to consider the writ petition of the appellant institution as representation and the documents submitted by the appellant institution claiming the availability of the infrastructural and instructional facilities available with the institution. The Appellant is directed to forward to the ERC the documents submitted in appeal within 15 days from the receipt of order of the Appeal to take further necessary action as per the NCTE Regulation, 2014, guidelines and amendments issued from time to time.*

*The above order is subject to outcome of decision taken by the ERC after following due process as per provisions of the NCTE Act, Rules & Regulations. The ERC is directed to expedite the decision in the matter in terms of direction given herein above.*

*During such time, the institution shall not be entitled to take admission of students till a final decision be taken by ERC.”*

*12. The matter was considered in 364<sup>th</sup> meeting of ERC-NCTE, held on 30<sup>th</sup> April, 2025, the committee considered the matter and decided as under :-*

*“The institution has submitted a letter dated 25.3.2025 along with demand draft dt. 25.03.2025 for Rs.1,77,000/- and other requisite documents”.*

*The Committee decided to constitute virtual online inspection under Section 13 of the NCTE Act, 1993 to verify infrastructural facilities available with the institution.*

*1. The O/o ERC has received a letter dated 17.07.2025 from O/o DM, East Champaran stating the following:*

Contd....15

“उपरोक्त विषयक प्रासांगिक पत्र के आलोक में अंकित करना है कि जिला पदाधिकारी, पूर्वी चम्पारण महोदय के पत्रसं 0-12689 दिनांक 23.06.2025 के निदेशानुसार रिकॉर्ड के जाँचोपरान्त पाया कि भूमि दखल कब्जा प्रमाण-पत्र (एल०पी०सी०) सं०-1036/2022-2023 निर्गत तिथि -09.02.2023 जो की राजस्व एवं भूमि सुधार विभाग के ऑनलाईन वेबसाईट-BHUKANKARI BIHAR पररामाशिष सिंह एण्ड विश्वनाथ शर्मा एजुकेशनट्रस्ट, नया अगरवा के नाम पर निर्गत की गई है, जिसका खाता संख्या-119, 120 खेसरा संख्या-638, 640, 648, 639 कुलरक्बा 78.54 डी०अंकितहै”।

14. In terms of the decision taken by ERC in its 364<sup>th</sup> meeting, file was moved to Inspection Division to carry out the inspection to verify infrastructural facilities available with the institution. The crux of the comments of the Inspection division is as under:

*There have been many complaints and court cases alleging non-compliance of extant norms by the institution, its non-existence on the ground, etc. Many reports viz. those submitted by a Commission set up by the Hon'ble High Court, Committees constituted by BSEB, Visiting Team of NCTE, etc. indicate non-existence of the institution. Further, there is also a court case pending in the Delhi High Court alleging non-existence of the institute. Therefore, it would be appropriate to examine this case holistically keeping these things in mind and then send proposal to Inspection Division so that the same may be placed before the competent authority for taking decision on inspection under Section 13, if required.*

15. The decision taken in 364<sup>th</sup> meeting was for inspection of the new premises of the institution as the representation was for shifting of premises of the institution as revealed from the order of Hon'ble Delhi High Court dated 20.08.2024. However, the Inspection Division is stating that there are many disputes on the existing institution. Meaning thereby that there is difference in opinions of the ERC and Inspection Division.

16. In View of the differences in opinions of the ERC and the Inspection Division, the Committee had decided in its 374<sup>th</sup> meeting dated 25-26<sup>th</sup> August, 2025 to refer the matter to the Appellate Committee to specify the premises, old or new, in which the inspection is to be carried out in order to verify the existence of the infrastructural and instructional facilities therein. Accordingly, file was forwarded to the Appeal Division on 24.09.2025 followed by a reminder dated 18.11.2025. However, nothing has been heard from them till date.

17. In the meanwhile, the institution has filed W.P.(C) 13535/2025 in the Hon'ble High Court of Delhi at New Delhi. The Hon'ble Court has passed an order dated 22.12.2025. The operative part of the order is as under:-

“””””9. Accordingly, this writ petition is allowed directing the Respondents to decide the application submitted by the Petitioner on 05.07.2024 for shifting of premises within four weeks from today. The decision will be taken after inspecting the new premises and will be a reasoned and speaking order. Decision will be communicated to the Petitioner within one week from the date of decision and in case of any surviving/further grievance, Petitioner will be at liberty to take recourse to legal remedies.. Writ petition stands disposed of with the pending application.

18. The Committee also observed in 385<sup>th</sup> meeting of ERC held on 24<sup>th</sup> December, 2025 as under :-

*“After carefully observing the court order dated 22.12.2025 passed by the Hon’ble High court of Delhi along with other related documents, the ERC decided that the direction of the Hon’ble High Court of Delhi dated 22.12.2025 may be forwarded to the Inspection Division, NCTE Hqrs. for necessary compliance i.e. for causing inspection of new premises of the institution immediately with the request to forward a copy of Virtual Online Inspection Report of the institution to the ERC for further final decision on the shifting of premises of institution. Further, a copy of the order may also be forwarded to Appellate Division with a remarks that the request made in this regard by ERC through e-file (C.No. 70405) to the Appellate Division may be treated as withdrawn in light of this court order”.*

19. The inspection was conducted on 19.01.2026 as per direction of the court order passed by the Hon’ble High court of Delhi.

*After carefully observing the application for shifting premises of the institution, VT report along with other related documents, the ERC decided that shifting of premises of Er.Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 (old) to Er.Upendra Sharma Teachers Training College, Village - Makari Mahuawa, PS & PO- Pipra Kothi, Tehsil & Taluka- Chakia, Distt- East Champaran, Bihar-845429 (new) is Permitted.*

20. NOW THEREFORE, in terms of above decision of ERC, permission of shifting premises from Er.Upendra Sharma Teachers Training College, Plot no. 119, 120, Street No. Telhara, Vill- Telhara Khurd, Po- Telhara Kala, Tehsil/Taluk- Dhaka, Town/City- Dhaka, Dist.- Purba Champaran, Bihar-845304 to Er.Upendra Sharma Teachers Training College, Village - Makari Mahuawa, PS & PO- Pipra Kothi, Tehsil & Taluka- Chakia, Distt- East Champaran, Bihar-845429 is granted.

Yours faithfully



(Satish Kumar)  
Regional Director

The Manager  
Govt. of India, Press  
72659 Department of Publication, (Gazette Section)  
Civil Lines, Delhi- 110 054

To,

72660 The Principal,  
Er.Upendra Sharma Teachers Training College,  
Village - Makari Mahuawa,  
PS & PO- Pipra Kothi,  
Tehsil & Taluka- Chakia,  
Distt- East Champaran, Bihar-845429.

Contd....17

Copy to:-

- 72661 1. **The Secretary/Correspondent**, Ramashish Singh and Vishwanath Sharma Education Trust, Plot No.846, Street/Road- New Agarwa, Vill/Town/City- Motihari, P.O.- Motihari GPO, Tehsil/Taluka- Motihari Sadar, Dist.- Purba Champaran, Bihar- 845401.
- 72662 2. **The Commissioner-cum-Secretary**, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar - 800015.
- 72663 3. **The Registrar**, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur, Bihar - 842001.
- 72664 4. **The Director**, Department of Secondary Education, Govt. of Bihar, New Secretariat, Vikas Bhawan, Patna, Bihar-800015.
- 72665 5. **The Secretary**, Dept, of School Education and Literacy, Ministry of Education, Govt. of India, Shastri Bhawan, New Delhi - 110001.
- 72666 6. **The Under Secretary (IT)**, NCTE, G-7, Sector-10, Dwarka, Landmark-Near Metro Station, New Delhi-110075.
7. Office Order file/Institution file.

72666